

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

24-CR-1346 JB

PAUL JESSEN, Jr.,

Defendant.

**DEFENDANT PAUL JESSEN, JR.'S UNOPPOSED MOTION
TO CONTINUE TRIAL AND DEADLINES**

COMES NOW Defendant, Paul Jessen, Jr., by and through his counsel of record, Joel R. Meyers, of the Law Office of Joel R. Meyers, LLC, and hereby respectfully moves the Court for an order continuing the Trial currently scheduled for December 9, 2024, and associated deadlines for 90 days. As grounds, Defendant states:

1. On October 7, 2024, and pursuant to a summons, Paul Jessen, Jr. made his initial appearance on a five-count indictment (Doc. 2) charging him with conspiracy to obstruct justice and related offenses. *See* Doc. 6.

2. On October 7, 2024, after holding a detention hearing, United States Magistrate Judge Laura Fashing entered an order releasing Mr. Jessen. *See* Doc. 9.

3. On October 8, 2028, this Court issued an Order (Doc. 12) setting trial in this matter for December 9, 2024.

4. On November 13, 2024, undersigned counsel filed a motion for *nunc pro tunc* CJA appointment for Mr. Jessen in this matter. *See* Doc. 13. On November 14, 2024, the Court granted that motion and appointed undersigned counsel to represent Mr. Jessen. *See* Doc. 14.

5. Since the date of undersigned counsel's appointment, undersigned counsel has continued to meet regularly with Mr. Jessen to review the recently received discovery in this case and to prepare his defense. Undersigned counsel also remains hopeful that negotiations will result in an agreed-upon disposition for this case. In order to engage in the negotiations and continue to review the recently received discovery, additional time would assist in these efforts.

6. The instant request is also partly due to undersigned counsels upcoming firm trial settings which include: *United States v. Rayshawn Boyce* (24-CR-371-MLG) on January 13, 2025; *United States v. Diego Sena* (23-CR-1161-MLG) on January 21, 2025; *United States v. Edward Vallez* (23-CR-749-MLG) on February 10, 2025; and *United States v. Jerry Bezie* (23-CR-589-WJ) on March 24, 2025

7. By this motion, undersigned counsel submits that additional time will be needed in order to provide adequate representation to Mr. Jessen and complete the above-mentioned tasks. The specific tasks that need to be completed are as follows:

- Continue to review discovery;
- Continue to conduct plea negotiations with the government;
- If plea negotiations are successful, schedule this matter for a change of plea;
- If plea negotiations are unsuccessful, provide undersigned counsel ample time to research and finalize pre-trial motions, motions in *limine*, and prepare for trial.

8. Undersigned counsel believes that length of time requested is the absolute minimum that will be sufficient to complete the above-mentioned tasks while at the same time balancing undersigned counsel's other responsibilities.

9. Thus, good grounds exist for continuing trial and all deadlines by no less than 90 days pursuant to *United States v. Toombs*, 574 F.3d 1262 (10th Cir. 2009).

10. Counsel for the government, Assistant United States Attorney Sean M. Long, does not oppose this motion.

11. Pursuant to 18 U.S.C. § 3161(h)(7)(A), Mr. Jessen's stated need for a continuance is in the best interests of justice and outweighs the best interests of the public and Mr. Jessen in a speedy trial. Pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), continuing trial and deadlines by no less than 90 days should allow for the parties to attempt to negotiate plea negotiations and, in the event that those negotiations are unsuccessful, it should allow for counsel continue reviewing the discovery in this case and to research and finalize any other pre-trial motions, motions in *limine*, and prepare for trial.

12. The parties respectfully request that the Court find, pursuant to 18 U.S.C. § 3161(h)(7)(A) that, if the Court grants this motion, all time between the date of the order granting the continuance to the next trial date be excluded for purposes of the Speedy Trial Act.

13. Based upon a balancing of those considerations, the interests of the parties would not be prejudiced by the continuance. Indeed, the interests of justice would be substantially advanced by continuing trial and all deadlines for at least 90 days for the reasons set forth above.

14. Counsel also respectfully submits that continuing trial and all deadlines for at least 90 days, as requested herein, is necessary to provide effective assistance of counsel to Mr. Jessen. A denial of the extension and continuance would deny Mr. Jessen the time required to assist in his own defense and would deny the parties an opportunity to pursue a potential pre-trial resolution of this matter.

WHEREFORE, for the foregoing reasons, Mr. Jessen respectfully requests that the Court enter an Order continuing the Trial currently scheduled for December 9, 2024, for a period of at least 90 days and extending all deadlines accordingly.

Respectfully Submitted,

/s/ Joel R. Meyers

Joel R. Meyers
The Law Office of Joel R. Meyers, LLC
1000 Cordova Place, #930
Santa Fe, NM 87505
jrm@jrmeyerslaw.com
(505) 847-7757
(505) 847-5929 FAX

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of November 2024, I filed the foregoing electronically through the CM/ECF system, which caused Counsel for the Plaintiff to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Sean M. Long
Assistant United States Attorney
United States Attorney's Office
1205 Texas Avenue, Suite 700
Lubbock, Texas 79401

/s/ Joel R. Meyers